IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO.12576 of 2005

Between:

M/s. Suguna Constructions, a registered partnership firm, rep by its Managing Partner, S. Adinarayana Reddy, S/o. Venkatarama Reddy,

60 years, R/o. Sai Nagar, Ananthapur, Ananthapur District.

...PETITIONER

AND

1. Government of Andhra Pradesh, rep.by its Principal Secretary, Panchayath Raj department, Secretariat, Hyderabad.
2. The Chief Engineer (PR), NABARD, Government of Andhra Pradesh, near Erram Manzil, Hyderabad.
3. The Superintending Engineer, Panchayat Raj Department, Ananthapur.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate writ, order or direction, preferably a writ in the nature of Writ of Mandamus, declaring the action of the respondents in not opening the price bids and not finalizing the tender in respect of Tender Notification No. 211/2004-05 dated 18.03.2005 for the work namely "BT road from Bukkarayasamudram to Gugudu (via) Narpala" as being arbitrary, illegal and violative of Article 14 of the Constitution of India and consequently direct the respondents to forthwith open the price bids and

finalize the contract in respect of the said tender notification.

Counsel for the Petitioner: MR.P.VENUGOPAL

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT

The Court at the admission stage made the following:

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO.12576 of 2005

ORDER:

This Writ Petition is filed by the petitioner seeking a declaration of the action of the respondents in not opening the price bids and not finalizing the tender in respect of the Tender Notification

No.211/2004-2005 dated 18.03.2005 for the work namely “BT road from Bukkarayasamudram to Gugudu (via) Narpala” as illegal and arbitrary and a consequential direction to the respondents to open the price bids forthwith and finalize the contract in respect of the said tender notification.

The learned Government Pleader submitted that the Writ Petition is liable to be dismissed, as the cause of action to file the Writ Petition is no more available in view of the memo issued by the Government i.e. Lr.No.NB7/RIDF X/Tenders/ATP/2004, dated 23.06.2005, canceling all the tenders in the Ananthapur District while exercising powers under

para 27 (2) of the A.P.Detailed Standard Specifications.

Accordingly, the Writ Petition is dismissed. However, it is open to the petitioner to assail the correctness of the memo in cancelling the tenders notification to all works in Ananthapur District. The learned Government Pleader is directed to furnish a copy of the memo mentioned above to the petitioner. No costs.

-

-

-

_____

(ELIPE DHARMA RAO, J)

27th June 2005

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Principal Secretary, Government of Andhra Pradesh, Panchayath Raj department, Secretariat, Hyderabad.
2. The Chief Engineer (PR), NABARD, Government of Andhra Pradesh, near Erram Manzil, Hyderabad.
3. The Superintending Engineer, Panchayat Raj Department, Ananthapur.
4. Two CCs to GP for Panchayat Raj and Rural Development, High Court Buildings, Hyderabad (OUT).
5. Two CD copies.